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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/650,227	08/28/2003	Liam Mannion	920476-94734	6366
23644	7590	08/01/2005		
BARNES & THORNBURG P.O. BOX 2786 CHICAGO, IL 60690-2786			EXAMINER NGUYEN, MY XUAN	
			ART UNIT	PAPER NUMBER
			2642	

DATE MAILED: 08/01/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

<b>Office Action Summary</b>	Application No. 10/650,227	Applicant(s) MANNION ET AL.	
	Examiner My X. Nguyen	Art Unit 2642	

**-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --**

**Period for Reply**

**A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.**

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
  - If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
  - If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
  - Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 28 August 2003.
- 2a) ☐ This action is FINAL.                      2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-15 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-15 is/are rejected.
- 7) ☒ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☒ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 28 August 2003 is/are: a) ☐ accepted or b) ☒ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All    b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- |   |   |
|---|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)   | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)  | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)             |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)<br>Paper No(s)/Mail Date _____ | 6) <input checked="" type="checkbox"/> Other: <u>326, 1472</u> .                        |

## **DETAILED ACTION**

### **Specification**

1. The abstract of the disclosure is objected to because of the spelling of "labour, centre, and centres." It is recommended that while applying for a United States patent the applicant uses the common spelling herein the United States of America: "labor, center, and centers," respectively. Correction is required. See MPEP § 608.01(b).
2. The disclosure is objected to because of the following informalities:
  - a. The title of the invention, the field of the invention, the background of the invention, the object to the invention, the summary of the invention, the brief description of the drawings, and the detailed description of the invention are objected to because of the spelling of "centre and/or centres" throughout each section. See objection of abstract above.
  - b. The use of acronyms should be fully described before further use in the disclosure. The use of SMS and IP should be fully described (Background of Invention, Page 1 Lines 21 and 26). The use of PSTN should also be fully described (Detailed Description of Invention, Page 10, Line 8).
  - c. The acronym CLAN is described having two different meanings: inter-contact center server and customer LAN (Detailed Description of Invention, Page 9, Line 10 and 17). Applicant needs to clarify the meaning of the acronym CLAN.Appropriate correction is required.
3. Claims 1, 3, 5, 6, 8, 9, 10, 11, 12, 13, 14, 15 are objected to because of the following informalities:

- a. The spelling of "centre and/or centres." See objection of abstract above.

Appropriate correction is required.

### ***Drawings***

4. The drawings are objected to as failing to comply with 37 CFR 1.84(p)(5) because they do not include the following reference sign(s) mentioned in the description:

- a. Figure 2: 17 (Referring to CLAN: Page 10, Lines 16 and 21), ELAN 16 (Page 10, Line 18), trunks (Page 10, Line 29),

Corrected drawing sheets in compliance with 37 CFR 1.121(d) are required in reply to the Office action to avoid abandonment of the application. Any amended replacement drawing sheet should include all of the figures appearing on the immediate prior version of the sheet, even if only one figure is being amended. Each drawing sheet submitted after the filing date of an application must be labeled in the top margin as either "Replacement Sheet" or "New Sheet" pursuant to 37 CFR 1.121(d). If the changes are not accepted by the examiner, the applicant will be notified and informed of any required corrective action in the next Office action. The objection to the drawings will not be held in abeyance.

5. The drawings are objected to as failing to comply with 37 CFR 1.84(p)(5) because they include the following reference character(s) not mentioned in the description:

- a. Figure 1: Enterprise Voice, 16, M1, SCCS1, SCCS2, SCCS3, and SCCS4.

Art Unit: 2642

- b. Figure 2: MCDN (NACD), ICC, ITR (nsbr), SFI (Reserve), M1, SCCS1, SCCS2, SCCS3, SCCS4, NARs, and NARRs.

Corrected drawing sheets in compliance with 37 CFR 1.121(d), or amendment to the specification to add the reference character(s) in the description in compliance with 37 CFR 1.121(b) are required in reply to the Office action to avoid abandonment of the application. Any amended replacement drawing sheet should include all of the figures appearing on the immediate prior version of the sheet, even if only one figure is being amended. Each drawing sheet submitted after the filing date of an application must be labeled in the top margin as either "Replacement Sheet" or "New Sheet" pursuant to 37 CFR 1.121(d). If the changes are not accepted by the examiner, the applicant will be notified and informed of any required corrective action in the next Office action. The objection to the drawings will not be held in abeyance.

***Claim Rejections - 35 USC § 112***

6. Claims 1 (subpart 3), 3 (subpart 3), 7, 10 (subpart 3), and 11 (subpart 3) recites the limitation "reservation requests." There is insufficient antecedent basis for this limitation in the claim.

"Reservation requests" is not recited any time prior its use and must be recited as "a reservation request." Applicant only refers to a source contact center sending a reservation request, but immediately refers to one or more reservation requests in the claims noted above. For purposes of the following rejections, examiner assumes applicant meant "reservation requests."

***Claim Rejections - 35 USC § 102***

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

7. Claims 1, 3, 4, 5, 6, 7, 8, and 9, are rejected under 35 U.S.C. 102(b) as being anticipated by U.S. Patent 5,844,982 issued on December 1, 1998 (Knitl).

As to claims 1, 3, 5, 7, 8, and 9, Knitl teaches a method that relates to a group of agent communication terminal apparatus that are distributed over several communication systems, read as a contact center, of a communication network in which an incoming call is given to any of the contact centers (Abstract, Lines 1-4). Knitl further teaches reserving a determined agent given the availability of one of the agents, read as sending a reservation request to other contact centers, and the indicated criteria for the selection of the agent is arbitrary or in which no incoming call has been switched to the indicated free agent for the longest time interval, read as routing the received contact to a specified intrinsic of an agent or to the nodal longest idle agent (Col. 3, Lines 14-17, 54-55, 65-67, Col. 4, Lines 6-10).

As to claim 4, Knitl teaches that after the determination of a communication system signaling a free agent terminal communication apparatus, read as determining the specified intrinsic agent, a reservation release is formed, read as canceling of the reservation (Col. 3, Lines 19-22, 28-32).

As to claim 6, Knitl teaches the reservation of the agent is removed after a predetermined time interval, read as a reservation being received in a pre-specified time interval (Col. 3, Lines 40-41).

***Claim Rejections - 35 USC § 103***

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

8. Claim 2 is rejected under 35 U.S.C. 103(a) as being unpatentable over Knitl and further in view of U.S. Patent 6,526,397 issued February 25, 2003 (Chee et al.)

Regarding claim 2, the teachings of Knitl have been discussed above. What Knitl does not explicitly teach is using the specified agent intrinsic of average answer delay and calls queued count.

However, Chee et al. teaches the use of the specified intrinsic of number of calls waiting in each skillset (queue) of each application, read as calls queued count, and average answer delay on each skillset for each application (Col. 4, Lines 7-8, 14-15).

It would have been obvious for one of ordinary skill in the art at the time the invention was made to implement the specified intrinsic of average answer delay and calls queued count in the invention of Knitl because the feature of using said specified intrinsic is well known in the prior art. Since Knitl identifies criteria of an agent that is arbitrary, it would not matter if Knitl uses criteria that include average answer delay and calls queued count. The motivation to view arbitrary criteria as average answer delay

Art Unit: 2642

and calls queued count is to adequately provide the most beneficial criteria that suits the goals of the network of contact centers that utilizes the invention of Knitl.

9. Claims 10, 11, 12, 13, 14, and 15, are rejected under 35 U.S.C. 103(a) as being unpatentable over Knitl and further in view of U.S. Patent 6,522,743 issued on February 18, 2003 (Hurd).

Regarding claims 10 and 11, the teachings of Knitl have been discussed above in the rejections of claims 1, 3, 4, 5, 6, 7, 8, and 9. What Knitl does not explicitly teach is a contact center that comprises: an input arranged to receive a contact, an output arranged to send a reservation request, a second input to receive the reservation request, and a processor arranged to route the contact to specified agent.

However, Hurd discloses in the background of the invention a contact center in which an incoming call could be initially received (input arranged to receive a contact), a transfer of the call to another contact center (output to send reservation request), and additional lines for the call to be sent back to the receiving center (second input to receive reservation request) (Col. 1, Lines 32-52). Using a processor arranged to route the contact to one of the agents is inherent.

It would have been obvious for one of ordinary skill in the art at the time the invention was made to have implemented such a feature in the invention of Knitl because the feature of using a contact center with said inputs and outputs is well known in the prior art. Because Knitl already teaches the output and retrieval of reservation requests for agents that have a specified intrinsic, it would not matter whether Knitl uses a contact center with said inputs and outputs because it is old and well known in the



Art Unit: 2642

prior art. The motivation to combine a contact center with said inputs and outputs with the invention of Knitl is to efficiently utilize all available agents and ensure the equality of sharing work with all agents (load balancing).

As to claim 12, Knitl and Hurd already teach multiple contact centers. For the reasons given above regarding claim 11, each of the multiple contact centers would be like those.

As to claim 13 through 15, Knitl teaches such an arrangement (Fig. 1, Col. 4, Lines 50-51).

### ***Conclusion***

Any inquiry concerning this communication or earlier communications from the examiner should be directed to My X. Nguyen whose telephone number is (571) 272-2835. The examiner can normally be reached on Monday through Friday at 8:00AM to 4:00PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Ahmad Matar can be reached on (571) 272-7488. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

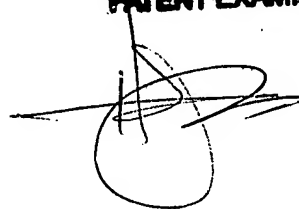
Art Unit: 2642

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

M.X.N.

July 25, 2005

**HECTOR A. AGDEPPA**  
**PATENT EXAMINER**

A handwritten signature in black ink, consisting of a large, stylized 'H' and 'A' followed by a horizontal line and a large circular flourish.